

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**


JAMES BOGART.

Plaintiff,

V.

BOARD OF COUNTY
COMMISSIONERS OF DOÑA ANA
COUNTY, NEW MEXICO,
CHRISTOPHER BARELA, in his
individual and official capacities, and
JOHN DOE(S) and JANE DOE(S)
1 through 7

Defendants.



No. 2:11-CV-00323 RB/CG

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO FILE THEIR
MOTION FOR SUMMARY JUDGMENT UNDER SEAL**

On this date, the Court considered the motion for leave to file their motion for summary judgment under seal, (Doc. 46), filed on behalf of Defendants Board of County Commissioners of Doña Ana County, New Mexico and Christopher Barela. The Court has considered the motion, the lack of opposition by plaintiff, and all matters of record.

The Court concludes that this motion for leave to file defendants' motion for summary judgment under seal, (Doc. 46), has merit and should be granted. FED. R. CIV. P. 5.2(d). It is therefore ORDERED that the District Clerk shall receive and accept the motion for summary judgment on behalf of Defendants and file it as "Sealed." Accordingly, the attorneys of record in this lawsuit will be the only persons entitled to obtain a copy of the motion for summary judgment and the attached exhibits.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE

Approved:

/s/ Henry J. Paoli

Henry J. Paoli,
Attorney for Defendants

/s/ approved via e-mail on December 6, 2011, and signed with permission

Jeff Lahann,
Attorney for Plaintiff